

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: QWEST CORPORATION, Complainant, vs. IOWA TELECOM COMMUNICATIONS, INC., Respondent.	DOCKET NOS. FCU-03-52 TF-03-476
---	------------------------------------

**ORDER DOCKETING COMPLAINT, REQUESTING RESPONSE,
AND APPROVING TARIFF SUBJECT TO COMPLAINT**

(Issued November 14, 2003)

On October 17, 2003, Iowa Telecom Communications, Inc. (ITC), filed with the Utilities Board (Board) a revised tariff sheet containing revisions to its intrastate access service rates. The filing has been identified as TF-03-476. ITC requested an effective date of November 16, 2003, for its proposed revisions.

On November 6, 2003, Qwest Corporation (Qwest) filed a complaint with the Board against ITC, contending ITC's proposed increases to its intrastate access service rates are unreasonable and unlawful. Qwest requests that the Board suspend and docket ITC's proposed tariff revisions and determine the reasonableness of ITC's proposed revisions to its intrastate access service rates.

Subrule 199 IAC 22.14(5) provides that if an interexchange utility affected by an access service filing wishes to resist to a new or changed access service tariff, "it shall file its resistance within 14 days after the filing of the proposed tariff." Subrule 22.14(5)"b" provides that the Board may suspend an access service tariff "after receipt of a timely resistance" Qwest filed its resistance to ITC's proposed tariff revision on November 6, 2003, 20 days after the filing of the proposed tariff. Thus, the resistance is not timely and the Board will not suspend the tariff. ITC's proposed access service rates contained in its October 17, 2003, filing, will be deemed effective November 16, 2003, as requested.

The Board will initiate formal complaint proceedings on Qwest's complaint, pursuant to 199 IAC 6.5(1) and 22.14. Iowa Code § 476.3(1) provides that when a complaint is filed regarding the reasonableness of rates or charges by a public utility, "the written complaint shall be forwarded by the Board to the public utility, which shall be called upon to satisfy the complaint or to answer it in writing within a reasonable time to be specified by the board." Therefore, the Board requests that ITC respond to the complaint within 14 days of the issuance of this order.

IT IS THEREFORE ORDERED:

1. The complaint filed on November 6, 2003, by Qwest Corporation against Iowa Telecom Communications, Inc., is docketed as a formal complaint identified as Docket No. FCU-03-52.

2. Iowa Telecom Communications, Inc., shall file a written response to the complaint within 14 days of the issuance of this order.

3. The proposed access service rates contained in Iowa Telecom Communications, Inc.'s October 17, 2003, filing will be deemed effective November 16, 2003, as requested, subject to change at the conclusion of this docket.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 14th day of November, 2003.